

## For Immediate Release

### DNR Selling Off Century-Old Trees Near Olympia

**The Legacy Forest Defense Coalition filed a lawsuit this week in Thurston County Superior Court, alleging multiple and continuing violations by the Washington State Department of Natural Resources of its policies and procedures intended to protect structurally complex forests.**



Four-foot diameter Douglas Fir Tree in the Sherman Creek Legacy Forest  
Photograph by Stephen Kropp

The fate of hundreds of acres of rare, century-old lowland forests in Thurston County hangs in the balance as DNR, under the leadership of Commissioner Hilary Franz, hands them over to private timber companies to be logged. On February 1, 2024, the Legacy Forest Defense Coalition joined Thurston County to appeal the decision by the Board of Natural Resources to clearcut 85 acres of century-old trees in the Waddell and Cedar Creek watersheds of Capitol State Forest. The trees are located in what DNR is calling the “Carrot” timber sale. The lawsuit was filed in Thurston County Superior Court.

"Natural lowland forests have all but disappeared from the Capitol State Forest, and Southwestern Washington as a whole," said Stephen Kropp, Director of the Legacy Forest Defense Coalition, the lead plaintiff in the lawsuit. "Protecting these old, natural 'legacy' forests is critical to preserve the

natural genetic and biological diversity of the region, and improve the resilience of our forests to the effects climate change."

### **Understanding the Value of this Unique and Special Place**

Enter Capitol State Forest from the east, follow Bordeaux Road for about nine miles, and you will see Douglas fir trees towering close to 180 feet over the roadway. Up on the hillside to your right, is one of the largest remaining century-old, lowland forests in Thurston County.

The 400-acre forest, referred to as the Sherman Creek Legacy Forest, is composed of a diverse mosaic of plant communities, including patches of red elderberry, huckleberry, and waist-high sword fern, shaded by century-old fir and cedar trees, and ancient standing dead snags. Traveling through this legacy forest is truly a journey of discovery.

This forest was selectively logged, probably sometime in the 1920's, and left to grow back on its own. As a result, much of the original vegetation, understory trees, standing snags, and downed trees were preserved. Because this forest has never been sprayed with herbicides, and was allowed to regenerate naturally, it closely resembles the natural and old growth forests that once dominated the Chehalis River watershed. The "Carrot" timber sale would clearcut a large, 45-acre swath through the forest, and another 40 acres of century-old trees in the Waddell Creek watershed.

### **DNR Violating Its Own Permit**

"Our interest is in seeing DNR manage its land in a manner that is consistent with the objectives of its Habitat Conservation Plan (HCP), and existing policies that are intended to conserve biodiversity and prevent the future listing of endangered species," said Kropp.

Protecting structurally complex forests is the primary means provided in the HCP and DNR's Policy for Sustainable Forests for achieving those objectives in Southwestern Washington. Federal permits require that DNR maintain or restore between 10 to 15 percent of state forestlands to old growth conditions by the year 2096.

Currently, DNR is behind in meeting its old-growth forest targets across most of Western Washington. The Legacy Forest Defense Coalition has presented dozens of documents, letters, and reports, along with a wealth of supporting data to DNR that clearly demonstrate that their permit requirements and policy objectives cannot be met if they continue logging the forests that are most likely to achieve old growth status by 2096.

LFDC is asking the Thurston County Superior Court to invalidate the Board's approval of the timber sale based on DNR's failure to account for the timber sale's probable and significant adverse impacts on the environment, and to prohibit DNR from commercially logging any part of the forest that may be classified as structurally complex.

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